

REMARKS/ARGUMENTS

The rejection presented in the Office Action dated August 9, 2007 (hereinafter Office Action) has been considered but is believed to be improper. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Without acquiescing to characterizations of the asserted art, Applicant's claimed subject matter, or to the applications of the asserted art or combinations thereof to Applicant's claimed subject matter and in an effort to facilitate prosecution, Applicant has amended Claims 1-15 to characterize the claimed method from the standpoint of a single entity. Since the changes only rephrase the wording of the original claims, the changes do not introduce new matter. The pending claims are believed to be patentable over the asserted references for the reasons set forth below.

While it is acknowledged at page six of the Office Action that the primary reference, Cho, fails to teach several of the claimed limitations (using a wireless low power radio frequency, giving a control command, and establishing an outside connection), the further reliance on Hamalainen does not overcome these deficiencies in the asserted teachings. More specifically, Hamalainen at least does not teach giving a control command, as claimed. Instead, the discussion of Hamalainen in the Response to Arguments indicates that the claimed invention is not understood or that certain limitations are being ignored.

For example, the disparate assertions that Hamalainen generally teaches outputting information to a remote printer and that calls can be switched to low-power networks do not correspond to the claimed limitations. The claims require that the control command issued by a first device is for adjusting activity of a connection between two other devices. In the asserted teachings of Hamalainen, there is no indication that the asserted call switching adjusts the asserted connection for outputting information to a printer. In addition, no teaching or suggestion has been identified that a control command described by Hamalainen is given when a first unit needs to establish another LPRF on the same frequency band as another device's (second) connection. Rather, the cited paragraphs generally discuss that a master device can be used as a gateway such that a Bluetooth network may be controlled

remotely through a master device. There is no indication that such control is related to an LPRF connection of a device where the unit that issues the control command needs to establish an LPRF connection operating on the same frequency as the second LPRF connection.

In order to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); and moreover, “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). *See, e.g.*, MPEP § 2143.03. The Examiner appears to have ignored certain claim limitations such as those directed to a control command for adjusting activity of a second LPRF connection when another LPRF connection needs to be established, which are not taught by either of the cited references. For example, neither Cho nor Hamalainen teaches a configuration of devices that establishes LPRF connections as claimed. Thus, the switching of incoming phone calls from a telephone exchange to a Bluetooth network (paragraph [0036] in Hamalainen) at least does not correspond with the claimed control command issued by a first device for adjusting activity of a second LPRF connection between other devices.

In summary, Cho does not teach at least giving a control command, as claimed. The asserted control of Hamalainen has not been shown to correspond to the claimed giving of a control command as it has not been shown that the alleged control is given when a first unit needs to establish another LPRF on the same frequency as the frequency of a LPRF connection already established between a unit the first unit is connected with and another unit. Thus, neither of the cited references teaches at least giving a control command by a first unit, as claimed. As neither of the asserted references teaches these limitations, any combination of these references must also fail to correspond to such limitations. Without a presentation of correspondence to each of the claimed limitations, the § 103(a) rejection is improper. Applicant accordingly requests that the rejection be withdrawn.

Dependent Claims 2-15 and 17-30 depend from independent Claims 1 and 16, respectively. Each of these dependent claims also stands rejected under 35 U.S.C. § 103(a)

as being unpatentable over the above-discussed combination of Cho and Hamalainen. While Applicant does not acquiesce to any particular rejections to these dependent claims, including any assertions concerning descriptive material, obvious design choice and/or what may be otherwise well-known in the art, these rejections are moot in view of the remarks made in connection with the independent claims. These dependent claims include all of the limitations of their respective base claims and any intervening claims and recite additional features which further distinguish these claims from the cited references. "If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious." MPEP § 2143.03; *citing In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, dependent Claims 2-15 and 17-30 are also patentable over the combination of Cho and Hamalainen.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

New Claims 31-37 have been added. Support for these claims may be found in the Specification, for example in Fig. 1 and the discussion thereof at paragraphs [0014]-[0020]; therefore, the new claims do not introduce new matter. As these claims include the limitations discussed above, the new claims are believed to be patentable over the asserted references for the reasons set forth above.